

**OFFICIAL**

Atty Docket N . 020375-000240US

PTO FAX NO.: (703) 308-3687

ATTENTION: Examiner, Dr. Geoffrey R. Akers  
TELEPHONE NO.: (703) 306-5844

Group Art Unit 2167

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER, DR. GEOFFREY R. AKERS**

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**GROUP 3600****CERTIFICATION OF FACSIMILE TRANSMISSION**

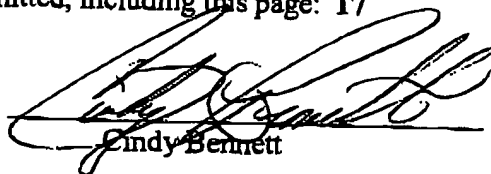
I hereby certify that the following document(s) in re Application of Milberger et al., Application No. 10/021,292, filed October 29, 2001 for SUBSCRIPTION-BASED PAYMENT is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Fee Transmittal (1 page);
2. Transmittal Form (1 page); and
3. Amendment (14 pages).

Number of pages being transmitted, including this page: 17

Dated: June 5, 2003

  
Cindy Bennett

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TOWNSEND and TOWNSEND and CREW LLP  
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San Francisco, CA 94111-3834  
Telephone: 303-571-4000  
Fax: 303-571-4321

DE 7106398 v1

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0851-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 90

**Complete if Known**

Application Number 10/021,292

Filing Date October 29, 2001

First Named Inventor Milberger, Susan M.

Examiner Name Akers, Geoffrey R.

An Unit 2167

Attorney Docket No. 020375-000240US

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**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

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Deposit Account Name Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	750	376	Utility filing fee	
1002	2002	330	165	Design filing fee	
1003	2003	520	260	Plant filing fee	
1004	2004	750	376	Reissue filing fee	
1005	2005	180	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	2202	18	9	Claims in excess of 20	
1201	2201	84	42	Independent claims in excess of 3	
1203	2203	280	140	Multiple dependent claim, if not paid	
1204	2204	84	42	** Reissue independent claims over original patent	
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$)</b> 90

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
1053	1053	130	130	Non-English specification	
1812	1812	2,520	2,520	For filing a request for reexamination	
1804	1804	920*	920*	Requesting publication of SIR prior to Examiner action	
1806	1806	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	55	Extension for reply within first month	
1252	2252	410	205	Extension for reply within second month	
1253	2253	930	465	Extension for reply within third month	
1254	2254	1,460	725	Extension for reply within fourth month	
1255	2255	1,970	985	Extension for reply within fifth month	
1401	2401	320	160	Notice of Appeal	
1402	2402	320	160	Filing a brief in support of an appeal	
1403	2403	280	140	Request for oral hearing	
1451	1451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,300	650	Petition to revive - unintentional	
1501	2501	1,300	650	Utility issue fee (or reissue)	
1502	2502	470	235	Design issue fee	
1503	2503	630	315	Plant issue fee	
1460	1460	130	130	Petitions to the Commissioner	
1807	1807	50	50	Petitions related to provisional applications	
1808	1808	180	180	Submission of Information Disclosure Sheet	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	750	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	750	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	2801	750	375	Request for Continued Examination (RCE)	
1802	1802	900	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$)

**SUBMITTED BY**

Name (Print/Type) Thomas D. Franklin Registration No. (Attorney/Agent) 43,616 Telephone 303-671-4000

Signature \_\_\_\_\_ Date June 6, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DE 7106589 v1

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/021,292
		Filing Date	October 29, 2001
		First Named Inventor	Milberger, Susan M.
		Art Unit	2167
		Examiner Name	Akers, Geoffrey R.
Total Number of Pages in This Submission	16	Attorney Docket Number	020375-000240US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Thomas D. Franklin	Reg. No. 43,816
Signature		
Date	June 5, 2003	

GROUP 3600

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being transmitted via facsimile (703) 308-3887 directed to: Examiner, Dr. Geoffrey Akers, at the Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Cindy Bennett
Signature	
Date	June 5, 2003

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Trademark Office at the date shown below:

Attorney Docket No.: 020375-000240US

PATENT

On June 5, 2003

TOWNSEND and TOWNSEND and CREW LLP

By:

Cindy Bennett

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Susan M. Milberger et al.

Application No.: 10/021,292

Filed: October 29, 2001

For: SUBSCRIPTION-BASED PAYMENT

Examiner: Akers, Geoffrey R.

Art Unit: 2167

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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GROUP 3600

Sir:

In response to the Office Action mailed March 17, 2003, please amend the  
above-referenced application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2  
of this paper.

**Remarks/Arguments** begin on page 3 of this paper.